

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

LARRY STOLZ AS PERSONAL )  
REPRESENTATIVE OF THE )  
ESTATE OF EDNA WENZEL; AND )  
JEAN ANDAL, on her own behalf, )  
Plaintiffs, )

v. )

Ability Insurance Company, f/k/a )  
Medico Life Insurance Company, )  
Ability Resources, Inc., )  
Ability Reinsurance Holdings Limited, )  
a Bermuda Limited Company, Ability )  
Reinsurance Limited, a Bermuda )  
Limited Company, and Medico )  
Insurance Company. )

Defendants. )

File No. Civ. 10-4047

PLAINTIFFS' MOTION TO  
CONSOLIDATE FOR PURPOSES OF  
PLAINTIFFS' MOTION FOR PARTIAL  
SUMMARY JUDGMENT AND MOTION  
IN LIMINE REGARDING CONTRACT  
INTERPRETATION ISSUES

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MABEL de JONGE, )  
Plaintiff, )

v. )

Ability Insurance Company, f/k/a )  
Medico Life Insurance Company, )  
Ability Resources, Inc., )  
Ability Reinsurance Holdings Limited, )  
a Bermuda Limited Company, Ability )  
Reinsurance Limited, a Bermuda )  
Limited Company, and Medico )  
Insurance Company. )


Defendants. )

File No. Civ. 10-4088

COMES NOW the Plaintiffs above named, by and through their attorney Mike Abourezk, and pursuant to Fed. R. Civ. P. 42(a), hereby move the Court for an order consolidating Plaintiffs' Motions for Partial Summary Judgment and Motion *in Limine* Regarding Contract Interpretation Issues in the above entitled actions.

The grounds for this motion are more fully set forth in Plaintiffs' Memorandum in Support of Motion to Consolidate Partial Summary Judgment proceedings. Plaintiffs are authorized to state that Defendants do not object, so long as it does not prejudice their rights to object to consolidation of the cases for trial.

Dated this 14 day of April, 2011.

By:   
Mike Abourezk  
Attorneys for Plaintiff  
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2020 W. Omaha St.  
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(605) 342-0097

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served a true and correct copy of the foregoing **PLAINTIFFS' MOTION TO CONSOLIDATE FOR PURPOSES OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AND MOTION IN LIMINE REGARDING CONTRACT INTERPRETATION ISSUES**, by electronic filing with the Clerk of Court's upon Defendants:

Mr. Gregory J. Erlandson  
Mr. Terry Westergaard  
Mr. Dan Duffy  
Bangs, McCullen, Butler, Foye & Simmons  
P.O. Box 2670  
Rapid City, SD 57709-2670

on this 14 day of April, 2011.



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